

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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|------------------------|---|--------------|
| JOSE F. CRUZ-HERNANDEZ | : | CIVIL ACTION |
| | : | |
| v. | : | |
| | : | |
| JOHN THOMAS, et al. | : | No. 11-2978 |

ORDER

AND NOW, this 11th day of July, 2012, upon consideration of the Petition for Writ of Habeas Corpus and the response thereto, **I HEREBY ORDER** that for the reasons set forth above, the Petition is **DISMISSED WITH PREJUDICE AND WITHOUT A HEARING.**

IT IS FURTHER ORDERED that no certificate of appealability will be issued pursuant to 28 U.S.C. § 2253 because petitioner has failed to make a substantial showing of denial of a constitutional right.

The Clerk of Court is hereby directed to mark this case closed.

s/J. William Ditter, Jr.
J. WILLIAM DITTER, JR., J.